

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF EAST KENTUCKY POWER )	CASE NO.
COOPERATIVE, INC. FOR APPROVAL OF THE )	2016-00116
AMENDMENT AND EXTENSION OR )	
REFINANCING OF AN UNSECURED REVOLVING )	
CREDIT AGREEMENT IN AN AMOUNT UP TO )	
\$800,000,000 OF WHICH UP TO \$100,000,000 )	
MAY BE IN THE FORM OF AN UNSECURED )	
RENEWABLE TERM LOAN AND \$200,000,000 OF )	
WHICH WILL BE IN THE FORM OF A FUTURE )	
INCREASE OPTION )	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On March 9, 2016, East Kentucky Power Cooperative, Inc. ("EKPC"), pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, moved that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its motion, EKPC states that the information it is requesting to be held confidential is contained in an exhibit to its Application. The information is more particularly described as Exhibit 1, which contains a description of the proposed financing, including: (1) the amount of the facility fee it currently pays under its existing Credit Facility; (2) the rate of interest it pays on amounts drawn under its existing Credit Facility; (3) a description of the rates it expects to pay under the proposed amended and extended or refinanced Credit Facility; and (4) a description of the amendment fees and expenses it expects to pay in conjunction with the proposed amended and extended or

refinanced Credit Facility. EKPC requests that this information remain confidential for a period of ten years.

Having carefully considered the motion and the materials at issue, the Commission finds that:

1. The materials for which EKPC seeks confidential treatment are records that are generally recognized as confidential or proprietary, and which, if openly disclosed would permit an unfair commercial advantage; therefore, the materials meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

2. The materials should not be placed in the public record or made available for public inspection for a period of ten years from the date of this Order, or until further Order of this Commission.

IT IS THEREFORE ORDERED that:

1. EKPC's motion for confidential protection is granted.

2. The materials for which EKPC seeks confidential treatment shall not be placed in the public record or made available for public inspection for a period of ten years from the date of this Order, or until further Order of this Commission.

3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. EKPC shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have

been granted confidential treatment has not run, then EKPC shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If EKPC is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow EKPC to seek a remedy afforded by law.

By the Commission

ENTERED
APR 12 2016
KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:

  
Acting Executive Director *for*

\*Mark David Goss  
Goss Samford, PLLC  
2365 Harrodsburg Road, Suite B325  
Lexington, KENTUCKY 40504

\*East Kentucky Power Cooperative, Inc.  
4775 Lexington Road  
P. O. Box 707  
Winchester, KY 40392-0707